

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 30 September 2005.
2. Claims 1-10 are currently pending and have been examined.

Information Disclosure Statement

3. The Information Disclosure Statement filed 30 September 2005 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Priority

4. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 371(c) is acknowledged.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claim 9 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The matter in claim 9 is merely an abstract idea, and therefore only a judicial exception and not a recognized statutory category.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase *post archiving revision step* is vague and indefinite because there is no prior reference to an “archiving step” in the claim from which claim 7 depends. For the purposes of this examination, the examiner will assume that the Applicant meant that the *post archiving revision step* is a reference to the “archiving step” in claim 6.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-5 and 8-10 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US 2002/0032626 A1 DeWolf et. al (hereafter DeWolf).

As per claim 1, DeWolf teaches a method of managing an insurance claim, the method including the steps of:

- *obtaining information on an insurance claim, including items of property relating to the claim, such information forming a claim datafile;* (see at least DeWolf [0075] “the insurer may retrieve information related to the asset status, location and owner (720) in order to manage an insurance claim on the asset (722)”)

- *selecting items of property being claimed by consulting a property register* (see at least DeWolf [0075] “The owner 240 may also report the lost, missing or stolen asset to the insurer 236 (i.e., insurance company) and the insurer may retrieve information related to the asset status, location and owner (720) in order to manage an insurance claim on the asset (722).”)

- *a property register configured and arranged to store items of property owned by the person or entity making a the claim, (see at least DeWolf [0008] "a method and system for attributing ownership of an asset or property to an individual, groups of individuals or other entities, as well as maintaining an up-to-date status regarding relevant attributes of the asset.")*

- *and wherein an historical claims database is consulted to check the claims history of the claimant making the claim; (see at least DeWolf [0075] "the insurer may retrieve information related to the asset status, location and owner (720) in order to manage an insurance claim on the asset (722).")*

- *obtaining information to establish a replacement value for each of the items of property relating to the claim; (see at least DeWolf [0085] "Insurance agencies could ensure accurate and timely claims processing and adjustment through use of an asset registry. The described system would specifically provide for recording of current condition (important in valuation of the object)")*

- *selecting a method of settlement of the claim and calculating the replacement values for each of the items of property to determine a settlement value. (see at least DeWolf [0119] "access to the GAIR 100 to obtain information related to the value of the asset (512) which may be in the form of an appraisal.); wherein "GAIR" system contains an asset registry.)*

As per claim 2, DeWolf, as shown, discloses the following limitation:

- *items being claimed match previous items claimed by consulting the historical claims database, a flag is generated to provide an indication to a user that further investigation may be warranted. (see at least DeWolf [0166] "changes may affect the value of the asset in which case insurers, appraisers, and assessors would be automatically notified via the registry such that the asset can be reassessed in light of the changes to the asset")*

As per claim 3, DeWolf, as shown, discloses the following limitation:

- *property register is periodically updated to ensure accuracy of the items of property. (see at least DeWolf [0179] "an "update registry" function/mechanism that would be part of the device, which would result in automatic update of the registry")*

As per claim 4, DeWolf, as shown, discloses the following limitations:

- *wherein the property register is configured and arranged to be accessible by authorised third parties* (see at least DeWolf [0011] “A Global Asset Information Registry (GAIR) is maintained and accessed by the asset owners and by any combination of organizations and individuals having a relationship to these assets.”)
- *over a communications network.* (see at least DeWolf Fig. 1 Items 102 & 104)

As per claim 5, DeWolf, as shown, discloses the following limitations:

- *carried out by a website server* (see at least DeWolf [0032] “the GAIR 100 would be located on one or more servers 102 accessible through a network 104, such as the Internet”)
- *configured and arranged to allow access by authorised users.* (see at least DeWolf [0093] “user authentication, user authorization, message non-repudiation and data encryption techniques are utilized. These capabilities, well known to those skilled in the art, will ensure secure electronic communications and system access using the highest-level commercial standards. These standards will ensure that (1) users are properly authenticated; (2) ensure that users only have access to data and functions based on the roles granted them;”)

As per claim 8, DeWolf, as shown, discloses the following limitations:

- *generating an insurance claim datafile* (see at least DeWolf [0009] “The present invention relates to networked computer systems and methods for asset registration” wherein “asset registration” reads on generation of an insurance datafile.)
- *by receiving information relating to a the claim, including items of property relating to the claim;* (see at least DeWolf [0075] “the insurer may retrieve information related to the asset status, location and owner (720) in order to manage an insurance claim on the asset (722)”)
- *selecting items of property being claimed by consulting a property register* (see at least DeWolf [0075] “The owner 240 may also report the lost, missing or stolen asset to the insurer 236 (i.e., insurance

company) and the insurer may retrieve information related to the asset status, location and owner (720) in order to manage an insurance claim on the asset (722).")

- *a property register configured and arranged to store items of property owned by the person or entity making a the claim, (see at least DeWolf [0008] "a method and system for attributing ownership of an asset or property to an individual, groups of individuals or other entities, as well as maintaining an up-to-date status regarding relevant attributes of the asset.")*

- *and consulting an historical claims database to check the claims history of the claimant making the claim, (see at least DeWolf [0075] "the insurer may retrieve information related to the asset status, location and owner (720) in order to manage an insurance claim on the asset (722).")*

- *and if any items being claimed match previous items claimed the claimant, a flag is generated to provide an indication to a user that further investigation may be warranted; (see at least DeWolf [0166] "changes may affect the value of the asset in which case insurers, appraisers, and assessors would be automatically notified via the registry such that the asset can be reassessed in light of the changes to the asset")*

- *obtaining information to establish a replacement value for each of the items of property relating to the claim; and (see at least DeWolf [0085] "Insurance agencies could ensure accurate and timely claims processing and adjustment through use of an asset registry. The described system would specifically provide for recording of current condition (important in valuation of the object)")*

- *selecting a method of settlement of the claim and calculating the replacement values for each of the items of property to determine a settlement value. (see at least DeWolf [0119] "access to the GAIR 100 to obtain information related to the value of the asset (512) which may be in the form of an appraisal."; wherein "GAIR" system contains an asset registry.)*

As per claim 9, DeWolf, as shown, discloses the following limitation:

- *a computer programmed to carry out the processing steps of claim 8. (see at least DeWolf [0009] "The present invention relates to networked computer systems and methods for asset registration and for conducting business (e.g. across a network) regarding the assets.")*

As per claim 10, DeWolf, as shown, discloses the following limitations:

- *the system including a property register configured and arranged to store items of property, the property register being configured and arranged to be updatable with current schedules of items of property,* (see at least DeWolf [0008] "a method and system for attributing ownership of an asset or property to an individual, groups of individuals or other entities, as well as maintaining an up-to-date status regarding relevant attributes of the asset.")
- *the database having network communications* (see at least DeWolf Fig. 1 Items 102 & 104)
- *means adapted to accept a request to add or delete or update an item of property,* (see at least DeWolf [0179] "an "update registry" function/mechanism that would be part of the device, which would result in automatic update of the registry")
- *and to allow access by authorised users to consult the items of property.* (see at least DeWolf [0011] "A Global Asset Information Registry (GAIR) is maintained and accessed by the asset owners and by any combination of organizations and individuals having a relationship to these assets.")

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

13. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeWolf in view of Haas et. al (US 20020174124 A1) (hereinafter Haas).

Claim 6

DeWolf as shown, discloses the following limitations:

- *wherein further changes to the datafile are not permitted.* (see at least DeWolf [0119] “An authentication and verification system (e.g. security) would prevent unauthorized or illicit modification or deletion of records or their elements.”)

DeWolf does not disclose the following limitations, however Haas, as shown, does:

- *archiving step wherein the datafile associated with a settled claim is moved to an archiving database;* (see at least Haas [0411] “By cross-referencing the Attributes and Entities that may have been affected with the birth and end date information maintained for the historical archive, the specific data changes that occur during a session can be identified.” Wherein maintaining a “historical archive” includes moving datafiles to an archiving database.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the processes of not permitting further changes to a datafile, with the *archiving step*, taught by Haas, with the motivation of increasing the security and accuracy of information in datafiles, by preventing unauthorized modification of said datafiles.

Claim 7

DeWolf as shown, discloses the following limitations:

- *wherein the datafile associated with a settled claim is accessed from an archive location and reviewed and altered as required,* (see at least DeWolf [0055] “these organizations 230 may have access to the GAIR 100 to modify the asset record in some manner or to obtain information relative to the asset 200.” and see at least DeWolf Fig. 1 Items 230, 236)
- *wherein an audit trail of the process is recorded.* (see at least DeWolf [0090] “an audit-trail”).

DeWolf does not disclose the following limitations, however Haas, as shown, does:

- *a post archiving revision step,* (see at least Haas [0411] “Each session tracks (a) the Attributes that a user may have revised during the session and (b) the Entities whose Attributes may have been modified. By cross-referencing the Attributes and Entities that may have been affected with the birth and end date information maintained for the historical archive, the specific data changes that occur during a session can be identified.”)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the processes of reviewing and altering a datafile, and recording this process in an audit trail with the *post archiving revisions step*, as taught by Haas, with the motivation of increasing the accuracy of the datafile through a more efficient process.

Conclusion

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Rajiv J. Raj** whose telephone number is **571-270-3930**. The Examiner can normally be reached on Monday-Friday, 7:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James A. Reagan** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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